

REMARKS

This Amendment, submitted in response to the Office Action dated August 14, 2000, is believed to be fully responsive to the points of rejection raised therein. Accordingly, favorable reconsideration on the merits is respectfully requested.

Regarding the Drawings, the Official Draftsperson has objected to the Drawings under 37 C.F.R. § 1.84(f) and under § 1.84(h) for failure to separately and properly label the views. The Examiner is respectfully requested to acknowledge three (3) sheets of Proposed Drawing Corrections, which separately label the views. Applicants will submit formal drawings addressing the remainder of the Official Draftsperson's objections after the Proposed Drawing Corrections have been approved.

Claims 1-9 are all the claims pending in the application. Claim 9 is a new claim added in this Amendment. Support for Claim 9 can be found, e.g., on page 8 of the present application.

The Examiner has objected to the Specification due to informalities. Applicants have amended the Specification to obviate any informalities noted by the Examiner.

1. Claim Rejections 35 U.S.C. § 112:

The Examiner has rejected Claims 2-4 under 35 U.S.C. § 112, first paragraph, for containing subject matter, which the Examiner asserts is not described in the Specification in such a way as to enable one skilled in the pertinent art to make or use the invention. Additionally, Claims 1-8 have been rejected under 35 U.S.C. § 112, second paragraph, as being indefinite. Applicants have amended the Claims to ensure that they are definite and otherwise comply with the requirements of 35 U.S.C. § 112. In addition, Applicants respectfully submit the following remarks traversing the rejections under 35 U.S.C. § 112.

Regarding the rejection of Claims 2-4 under 35 U.S.C. § 112, first paragraph, Applicants respectfully note that the Examiner has apparently misconstrued Claim 2, as evidenced by the statement "Claim 2 recites that 10 to 70 % of the particles are contained in the elastic material." (See page 2 of the August 14, 2000 Office Action.)

Accordingly, Claim 2 has been amended to better clarify its meaning and thereby prevent such misunderstandings. As amended, Claim 2 recites a feed belt comprising 10 to 70 percent by weight of high hardness particles and an elastic material, containing the high hardness particles.

Applicants respectfully submit that Claim 2 is described in the Specification in such a way as to enable one skilled in the pertinent art to make or use the invention. (See, e.g., page 4, line 30 - 32.) As Claims 3 and 4 depend from Claim 2, Applicants further submit that amended Claims 2-4 are enabled by the Specification. Accordingly, Applicants respectfully request that the rejection under 35 U.S.C. § 112, first paragraph be withdrawn.

Regarding the rejection of Claims 1-8 under 35 U.S.C. § 112, second paragraph, Applicants note that Claims 1 and 5 have been amended to better clarify their meaning and further note that the amendments address each of the concerns raised by the Examiner in paragraph 4 of the August 14, 2000 Office Action. In addition, Claims 2 and 6 have been amended, *inter alia*, to replace “weight %” with “percent by weight.” Accordingly, Applicants submit that Claims 1-8, as amended, are definite, and Applicants respectfully request that the rejection of Claims 1-8 under 35 U.S.C. § 112, first paragraph, be withdrawn.

2. Claim Rejections under 35 U.S.C. § 102:

Claims 1, 5, and 8 have been rejected under 35 U.S.C. § 102(b) as being anticipated by Kawamoto. This rejection is respectfully traversed. Claim 1 recites a feed belt comprising an elastic material containing high hardness particles. Similarly, the recitation of Claim 5 includes a high hardness particle layer comprising an elastic material containing high hardness particles. Examples of such high hardness particles are listed on page 3, at lines 8 - 17. Moreover, Figure 3(A) depicts an exemplary belt containing ceramic particles. Additionally, in both Claims 1 and 5, the high hardness particles project from a feed surface and the projecting amount varies with the pressure applied to the belt, which in turn, varies with the shape or hardness of the member to be fed.

Conversely, Kawamoto discloses a lagging-reinforced structure having a conveyor belt 1 and a plurality of laggings L, for the prevention of wear resistance. (See Column 2, lines 50-52.) Kawamoto further discloses that, as shown in Figures 2 and 3, each lagging L is shaped like an

elongated bar and the laggings L extend in a direction transverse to the running direction of the conveyor belt 1.

Thus, Kawamoto discloses elongated-bar-shaped laggings L, not particles, as recited in Claims 1 and 5. Moreover, Kawamoto could not inherently incorporate the particles recited in Claims 1 and 5, in view of the requirement “that the laggings L have an anchoring portion at the embedded end thereof.” (See Column 3, lines 1-3.) Examples of the anchoring portion of Kawamoto include: a T-shaped lower horizontal portion 10 (Fig. 4a), an L-shaped lower horizontal portion 13 (Fig. 4b), and a dove-tail shaped lower portion 24 (Fig. 4f).

In addition, Applicants submit that Kawamoto neither teaches nor suggests high hardness particles projecting from a feed surface, where the projecting amount varies with the pressure applied to the belt, which in turn, varies with the shape or hardness of the member to be fed.

As Kawamoto fails to teach each and every element of Claims 1 and 5, Applicants respectfully request that the rejection of Claims 1 and 5 under 35 U.S.C. § 102(b) be withdrawn.

Further, since amended Claim 8 depends from Claim 6, which was not rejected over Kawamoto, Applicants respectfully request that the rejection of Claim 8 under 35 U.S.C. § 102(b) over Kawamoto be withdrawn.

3. Claim Rejections - 35 U.S.C. § 103:

Claims 1 and 5-8 have been rejected under 35 U.S.C. § 103(a) as being unpatentable over Arnold in view of Saylor. This rejection is respectfully traversed. Claim 1 recites a feed belt comprising an elastic material and high hardness particles dispersed throughout the elastic material. Similarly, the recitation of Claim 5 includes a high hardness particle layer comprising a second elastic material and high hardness particles dispersed throughout the second elastic material. In both Claims 1 and 5, the high hardness particles project from a feed surface and the projecting amount varies with the pressure applied to the belt, which in turn, varies with the shape or hardness of the member to be fed.

Arnold discloses a belt for use in agricultural applications, in particular for use in round, hay balers. The belts disclosed in Arnold have reinforced edges, which are achieved by folding, fabric wrapping, or reinforcement by hard elastomers. (See the Abstract.) In addition, the belts

include outer skims 82 and 84 formed of elastomer. (See column 10, lines 10-20.) However, as noted by the Examiner, Arnold does not disclose, among other things, high hardness particles dispersed throughout an elastic material.

Saylor discloses a slip-resistant floor system, and a method for making the same. (See, e.g., Column 1, lines 11-13.) As a preliminary matter, Applicants note that it is not apparent that Saylor qualifies as analogous prior art, given that it is neither in the field of Applicants' endeavor nor is it evident that a slip-resistant floor is reasonably pertinent to the problem addressed by the Applicants, namely development of a feed belt which can endure changes in environment, which has sufficient hardwearing characteristics while not damaging the members being fed, and which maintains a high coefficient of friction. (See page 3, lines 9-13.).

Applicants further traverse the rejection for the following technical reasons. The floor cover system disclosed by Saylor incorporates beads which are deposited as a monolayer into a polymer film. (See Column 3, line 21 and lines 32-33.) Thus, Saylor does not supply the deficiency of Arnold, with respect to high hardness particles dispersed throughout an elastic material. In addition, Applicants submit that neither Saylor nor Arnold teaches or suggests high hardness particles projecting from a feed surface, where the projecting amount varies with the pressure applied to the belt, which in turn, varies with the shape or hardness of the member to be fed.

Applicants submit that Claims 1 and 5 are not obvious over Arnold and Saylor for at least these reasons. Accordingly, Applicants respectfully request that the rejection of Claims 1 and 5 under 35 U.S.C. § 103 be withdrawn.

Regarding Claim 6, this claim recites a feed belt including a base material layer formed of a first elastic material having a hardness corresponding to rubber hardness 15 to 90. The feed belt further includes a high hardness particle containing layer comprising 10 to 70 percent by weight of high hardness particles having a particle diameter of 3 to 300 μm and a second elastic material having a hardness corresponding to rubber hardness 15 to 90 and containing the high hardness particles.

As the Examiner notes, Arnold does not disclose high hardness particles contained in a second elastic material. Instead, the Examiner relies on Saylor to supply this deficiency. However, Applicants submit that one skilled in the art would not have combined the references in the manner proposed by the Examiner at the time the invention was made, for the reasons discussed above with respect to Claims 1 and 5. Accordingly, Applicants submit that Claim 6 is patentably distinguishable over Arnold and Saylor, both alone and in combination.

Further, since Claims 7 and 8 depend from Claim 6, they are also patentably distinguishable over the Arnold and Saylor references, for at least the reasons cited above with respect to Claim 6. Accordingly, Applicants respectfully request that the rejection of Claims 6-8 under 35 U.S.C. § 103 be withdrawn.

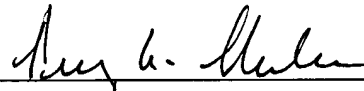
Regarding new Claim 9, Applicants submit that, as Claim 9 depends from Claim 6, it is thus patentably distinguishable over the cited references, for at least the reasons discussed above with respect to Claim 6. In addition, Applicants submit that none of the cited references teaches or suggests a feed belt having a base material layer formed of a first elastic material and a high hardness particle containing layer comprising a second elastic material, wherein the hardness of the second elastic material is less than the hardness of the first elastic material, as recited by Claim 9. For at least these reasons, Applicants respectfully submit that new Claim 9 is patentable over the cited art.

In view of the above, reconsideration and allowance of this application are believed to be in order, and such actions are hereby solicited. If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

AMENDMENT UNDER 37 C.F.R. § 1.111
U.S. Appln. No. 09/170,225

Applicants hereby petition for any extension of time which may be required to maintain the pendency of this case, and any required fee, except for the Issue Fee, for such extension is to be charged to Deposit Account No. 19-4880.

Respectfully submitted,


Penny A. Clarke
Registration No. 46,627

SUGHRUE, MION, ZINN,
MACPEAK & SEAS, PLLC
2100 Pennsylvania Avenue, N.W.
Washington, D.C. 20037-3213
Telephone: (202) 293-7060
Facsimile: (202) 293-7860

Date: February 8, 2001